



***ROANOKE CITY COUNCIL
REGULAR SESSION***

***DECEMBER 1, 2003
9:00 A.M.***

***EMERGENCY OPERATIONS CENTER
CONFERENCE ROOM***

AGENDA

Call to Order--Roll Call.

A communication from Council Member Alfred T. Dowe, Jr., Chair, City Council's Personnel Committee, requesting that Council convene in a Closed Meeting to discuss the mid-year performance of two Council-Appointed Officers, pursuant to Section 2.2-3711 (A)(1), Code of Virginia (1950), as amended.

P 10

(To be held at 11:00 a.m., in the Council's Conference Room)

A communication from the City Manager requesting that Council convene in a Closed Meeting to discuss disposition of publicly-owned property, where discussion in open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Section 2.2-3711 (A)(3), Code of Virginia (1950), as amended.

P 11

A communication from the City Manager requesting that Council convene in a Closed Meeting to discuss disposition of publicly-owned property, where discussion in open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Section 2.2-3711 (A)(3), Code of Virginia (1950), as amended.

P 12

A communication from the City Manager requesting that Council convene in a Closed Meeting to discuss acquisition of real property for public purpose, where discussion in open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Section 2.2-3711 (A)(3), Code of Virginia (1950), as amended.

P 13

1. Items listed on the 2:00 p.m. Council docket requiring discussion/clarification; and additions/deletions to the 2:00 p.m. docket. (15 minutes)

2. Topics for discussion by the Mayor and Members of Council. (15 minutes)

- VML Legislative Day Regional Dinner
- Council/School Board Joint Session (January 5, 2004)
 - Stadium Turf Issue
 - Other Items
- Scheduling of Future Council/School Board Joint Sessions

3. Briefings:

- Zoning Ordinance - 20 minutes
- Traffic Calming - 20 minutes

P 14;
P 15

THE COUNCIL MEETING WILL BE DECLARED IN RECESS TO BE RECONVENED AT 12:15 P.M., FOR A LUNCHEON MEETING OF COUNCIL, THE ROANOKE CITY SCHOOL BOARD, AND AREA LEGISLATORS.



***ROANOKE CITY COUNCIL
REGULAR SESSION***

***DECEMBER 1, 2003
2:00 P.M.***

CITY COUNCIL CHAMBER

AGENDA

1. Call to Order--Roll Call.

The Invocation will be delivered by The Reverend Paul E. Johnson, Pastor, Williams Memorial Baptist Church.

The Pledge of Allegiance to the Flag of the United States of America will be led by Mayor Ralph K. Smith.

Welcome. Mayor Smith.

NOTICE:

Meetings of Roanoke City Council are televised live on RVTB Channel 3. Today's meeting will be replayed on Channel 3 on Thursday, December 4, 2003, at 7:00 p.m., and Saturday, December 6, 2003, at 4:00 p.m. Council meetings are now being offered with closed captioning for the hearing impaired.

ANNOUNCEMENTS:

THE PUBLIC IS ADVISED THAT MEMBERS OF COUNCIL RECEIVE THE CITY COUNCIL AGENDA AND RELATED COMMUNICATIONS, REPORTS, ORDINANCES AND RESOLUTIONS, ETC., ON THE THURSDAY PRIOR TO THE COUNCIL MEETING TO PROVIDE SUFFICIENT TIME FOR REVIEW OF INFORMATION. CITIZENS WHO ARE INTERESTED IN OBTAINING A COPY OF ANY ITEM LISTED ON THE AGENDA MAY CONTACT THE CITY CLERK'S OFFICE, ROOM 456, NOEL C. TAYLOR MUNICIPAL BUILDING, 215 CHURCH AVENUE, S. W., OR CALL 853-2541.

THE CITY CLERK'S OFFICE PROVIDES THE MAJORITY OF THE CITY COUNCIL AGENDA ON THE INTERNET FOR VIEWING AND RESEARCH PURPOSES. TO ACCESS AGENDA MATERIAL, GO TO THE CITY'S HOMEPAGE AT WWW.ROANOKEGOV.COM. CLICK ON THE ROANOKE CITY COUNCIL ICON, CLICK ON MEETINGS AND AGENDAS, AND DOWNLOAD THE ADOBE ACROBAT SOFTWARE TO ACCESS THE AGENDA.

ALL PERSONS WISHING TO ADDRESS COUNCIL ARE REQUESTED TO REGISTER WITH THE STAFF ASSISTANT WHO IS LOCATED AT THE ENTRANCE TO THE COUNCIL CHAMBER. ON THE SAME AGENDA ITEM, ONE TO FOUR SPEAKERS WILL BE ALLOTTED FIVE MINUTES EACH, HOWEVER, IF THERE ARE MORE THAN FOUR SPEAKERS, EACH SPEAKER WILL BE ALLOTTED THREE MINUTES.

ANY PERSON WHO IS INTERESTED IN SERVING ON A CITY COUNCIL APPOINTED AUTHORITY, BOARD, COMMISSION OR COMMITTEE IS REQUESTED TO CONTACT THE CITY CLERK'S OFFICE AT 853-2541, OR ACCESS THE CITY'S HOMEPAGE AT WWW.ROANOKEGOV.COM, TO OBTAIN AN APPLICATION.

2. PRESENTATIONS AND ACKNOWLEDGMENTS:
NONE.

3. CONSENT AGENDA

ALL MATTERS LISTED UNDER THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE BY THE MEMBERS OF CITY COUNCIL AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THE ITEMS. IF DISCUSSION IS DESIRED, THE ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED SEPARATELY.

- C-1 A communication from the City Manager requesting that Council schedule a public hearing for Monday, December 15, 2003, at 7:00 p.m., or as soon thereafter as the matter may be heard, with regard to leasing City-owned property located at 1302 Municipal Road, N. W.

P 16

RECOMMENDED ACTION: Concur in the request.

- C-2 A communication from the City Manager requesting that Council schedule a public hearing for Monday, December 15, 2003, at 7:00 p.m., or as soon thereafter as the matter may be heard, with regard to vacation and dedication of sewer and drainage easements across property located on Wildwood Road, S. W.

P 17

RECOMMENDED ACTION: Concur in the request.

- C-3 A communication from the City Manager recommending adoption of the Calendar of Events for Budget Preparation Activities for fiscal year 2004-05.

P 18

RECOMMENDED ACTION: Concur in the recommendation.

- C-4 A communication from Kyle G. Ray tendering his resignation as a member of the Architectural Review Board.

P 21

RECOMMENDED ACTION: Accept the resignation and receive and file the communication.

- C-5 A communication from Melinda J. Payne tendering her resignation as a Trustee of the Roanoke City School Board, effective December 31, 2003.

P 22

RECOMMENDED ACTION: Accept the resignation and receive and file the communication.

- C-6 Qualification of Sam G. Oakey, III, as a member of the Roanoke Public Library Board, to fill the unexpired term of Brooke Parrott, deceased, ending June 30, 2006.

RECOMMENDED ACTION: Receive and file.

REGULAR AGENDA

4. PUBLIC HEARINGS: NONE.

5. PETITIONS AND COMMUNICATIONS:

- a. Request of The Arts Council of the Blue Ridge to present information on "Downtown – This Is Living", a walking tour of downtown residential spaces. Gregg Lewis, Member, Board of Directors, and Co-Chair of "Downtown – This Is Living", Spokesperson. (Sponsored by the City Manager)
- b. Request to address Council with regard to school issues. Dr. William L. Lee, Spokesperson. (Sponsored by Council Members M. Rupert Cutler and Beverly T. Fitzpatrick, Jr.)

P 24

P 26

6. REPORTS OF OFFICERS:

a. CITY MANAGER:

ITEMS RECOMMENDED FOR ACTION:

1. Acceptance of Western Virginia Workforce Development Board Workforce Investment Act funds, in the amount of \$771,458.00; and appropriation of funds. P 28;
B/O 30;
R 31
2. Amendment of the Fee Compendium to establish the fee for outdoor dining permits for calendar year 2004. P 32;
O 34
3. Acceptance of a Juvenile Justice and Delinquency Prevention Title II Grant from the Department of Criminal Justice Services for the City's Crisis Intervention Center (Sanctuary) Aggression Replacement Training and Education Program, in the amount of \$17,571.50; and appropriation of funds. P 35;
B/O 38;
R 39
4. Amendment of the City Code to revise the definitions of "dangerous dog" and "vicious dog" and to increase the liability insurance coverage requirement. P 40;
O 42

b. DIRECTOR OF FINANCE:

1. Financial Report for the month of October 2003. P 44

7. REPORTS OF COMMITTEES: NONE.

8. UNFINISHED BUSINESS: NONE.

9. INTRODUCTION AND CONSIDERATION OF ORDINANCES AND RESOLUTIONS:

- a. A resolution appointing a new Director of the Industrial Development Authority of the City of Roanoke, to fill a four year term on the Board of Directors. P 54
- b. A resolution appointing Evelyn W. Powers as City Treasurer for a term commencing upon her qualification and expiring on December 31, 2005. P 55

10. MOTIONS AND MISCELLANEOUS BUSINESS:

- a. Inquiries and/or comments by the Mayor, Vice-Mayor and Members of City Council.
- b. Vacancies on certain authorities, boards, commissions and committees appointed by Council.

11. HEARING OF CITIZENS UPON PUBLIC MATTERS:

CITY COUNCIL SETS THIS TIME AS A PRIORITY FOR CITIZENS TO BE HEARD. MATTERS REQUIRING REFERRAL TO THE CITY MANAGER WILL BE REFERRED IMMEDIATELY FOR RESPONSE, RECOMMENDATION OR REPORT TO COUNCIL.

12. CITY MANAGER COMMENTS:

CERTIFICATION OF CLOSED SESSION.

**MOTION AND CERTIFICATION
WITH RESPECT TO
CLOSED MEETING**

FORM OF MOTION:

I move, with respect to any Closed Meeting just concluded, that each member of City Council in attendance certify to the best of his or her knowledge that (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and (2) only such public business matters as were identified in any motion by which any Closed Meeting was convened were heard, discussed or considered by the members of Council in attendance.

PLEASE NOTE:

1. The forgoing motion shall be made in open session at the conclusion of each Closed Meeting.
2. Roll call vote included in Council's minutes is required.
3. Any member who believes there was a departure from the requirements of subdivisions (1) and (2) of the motion shall state prior to the vote the substance of the departure that, in his or her judgement, has taken place. The statement shall be recorded in the minutes of City Council.



RALPH K. SMITH
Mayor

CITY OF ROANOKE

CITY COUNCIL

215 Church Avenue, S.W.
Noel C. Taylor Municipal Building, Room 456
Roanoke, Virginia 24011-1536
Telephone: (540) 853-2541
Fax: (540) 853-1145

Council Members:
William D. Bestpitch
M. Rupert Cutler
Alfred T. Dowe, Jr.
Beverly T. Fitzpatrick, Jr.
C. Nelson Harris
Linda F. Wyatt

December 1, 2003

The Honorable Mayor and Members
of the Roanoke City Council
Roanoke, Virginia

Dear Mayor Smith and Members of Council:

I wish to request a Closed Meeting to discuss the mid-year performance of two Council-Appointed Officers, pursuant to Section 2.2-3711 (A)(1), Code of Virginia (1950), as amended.

Sincerely,

A handwritten signature in black ink, appearing to be "ATD", with a long horizontal line extending to the right.

Alfred T. Dowe, Jr., Chair
City Council Personnel Committee

ATD:snh



CITY OF ROANOKE
OFFICE OF THE CITY MANAGER

Noel C. Taylor Municipal Building
215 Church Avenue, S.W., Room 364
Roanoke, Virginia 24011-1591
Telephone: (540) 853-2333
Fax: (540) 853-1138
CityWeb: www.roanokegov.com

December 1, 2003

The Honorable Mayor and Members
of City Council
Roanoke, Virginia

Subject: Request for closed meeting

Dear Mayor Smith and Council Members:

This is to request that City Council convene a closed meeting to discuss the disposition of publicly-owned property, where discussion in open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to §2.2-3711.A.3, Code of Virginia (1950), as amended.

Sincerely,

A handwritten signature in cursive script, reading "Darlene L. Burcham".

Darlene L. Burcham
City Manager

DLB/f

c: William M. Hackworth, City Attorney
Jesse A. Hall, Director of Finance
Mary F. Parker, City Clerk



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December 1, 2003

The Honorable Mayor and Members
of City Council
Roanoke, Virginia

Subject: Request for closed meeting

Dear Mayor Smith and Council Members:

This is to request that City Council convene a closed meeting to discuss the disposition of publicly-owned property, where discussion in open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to §2.2-3711.A.3, Code of Virginia (1950), as amended.

Sincerely,

A handwritten signature in cursive script, reading "Darlene L. Burcham".

Darlene L. Burcham
City Manager

DLB/f

c: William M. Hackworth, City Attorney
Jesse A. Hall, Director of Finance
Mary F. Parker, City Clerk



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December 1, 2003

The Honorable Mayor and Members
of City Council
Roanoke, Virginia

Subject: Request for closed meeting

Dear Mayor Smith and Council Members:

This is to request that City Council convene a closed meeting to discuss the acquisition of real property for a public purpose, where discussion in open meeting would adversely affect the bargaining position or negotiating strategy of the City, pursuant to §2.2-3711.A.3, of the Code of Virginia (1950), as amended.

Sincerely,

A handwritten signature in dark ink, appearing to read "Darlene L. Burcham", is written over a faint, circular official stamp.

Darlene L. Burcham
City Manager

DLB/f

c: William M. Hackworth, City Attorney
Jesse A. Hall, Director of Finance
Mary F. Parker, City Clerk



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December 1, 2003

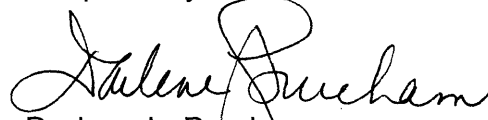
Honorable Ralph K. Smith, Mayor, and Members of City Council
Roanoke, Virginia

Dear Mayor Smith and Members of Council:

Subject: Zoning Ordinance Briefing

This is to request space on Council's regular agenda for a 20-minute briefing on the above referenced subject.

Respectfully submitted,


Darlene L. Burcham
City Manager

DLB:sm

c: City Attorney
Director of Finance
City Clerk



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December 1, 2003

Honorable Ralph K. Smith, Mayor, and Members of City Council
Roanoke, Virginia

Dear Mayor Smith and Members of Council:

Subject: Traffic Calming Briefing

This is to request space on Council's regular agenda for a 20-minute briefing on the above referenced subject.

Respectfully submitted,

A handwritten signature in cursive script, reading "Darlene L. Burcham".

Darlene L. Burcham
City Manager

DLB:sm

c: City Attorney
Director of Finance
City Clerk



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December 1, 2003

Honorable Ralph K. Smith, Mayor
Honorable C. Nelson Harris, Vice Mayor
Honorable William D. Bestpitch, Council Member
Honorable M. Rupert Cutler, Council Member
Honorable Alfred T. Dowe, Jr., Council Member
Honorable Beverly T. Fitzpatrick Jr., Council Member
Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Lease of City-owned Property

The Hertz Corporation currently leases approximately 87,120 square feet of City-owned land commonly known as 1302 Municipal Road, N.W., Roanoke, Virginia, for the purposes of operating an automobile rental establishment. The current lease agreement expired November 30, 2003. The Hertz Corporation is interested in extending the lease of this parcel for an additional five year period, beginning December 1, 2003 through November 30, 2008. The proposed agreement would establish an annual rate of \$26,600.04 with an increase of 2% each year thereafter.

Recommended Action:

Authorize the scheduling and advertising of this matter for public hearing on your December 15, 2003 agenda.

Respectfully submitted,

A handwritten signature in black ink, reading "Darlene L. Burcham". The signature is fluid and cursive, with the first name "Darlene" being more prominent.

Darlene L. Burcham
City Manager

DLB:slm

c: Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
Jesse A. Hall, Director of Finance
Sherman A. Stovall, Acting Director of Management and Budget
Dana Long, Manager of Billings and Collections
Scott L. Motley, Economic Development Specialist

CM03-00231



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December 1, 2003

Honorable Ralph K. Smith, Mayor
Honorable C. Nelson Harris, Vice Mayor
Honorable William D. Bestpitch, Council Member
Honorable M. Rupert Cutler, Council Member
Honorable Alfred T. Dowe, Jr., Council Member
Honorable Beverly T. Fitzpatrick, Jr., Council Member
Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Vacation and Dedication of Sewer & Drainage
Easements – Wildwood Road, SW
Tax Map No. 1070605

Pursuant to the requirements of the Virginia Code, the City of Roanoke is required to hold a public hearing on the proposed vacation of property rights. This is to request that a public hearing be advertised on the above matter for Council's regular meeting to be held on Monday, December 15, 2003. A full report will be included in the December 15, 2003, agenda material for your consideration.

Respectfully submitted,

A handwritten signature in cursive script, reading "Darlene L. Burcham".

Darlene L. Burcham
City Manager

DLB/SEF

c: Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
Jesse A. Hall, Director of Finance
Sarah E. Fitton, Engineering Coordinator
Stephen W. Lemon, Martin, Hopkins & Lemon, P.C.



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December 1, 2003

Honorable Ralph K. Smith, Mayor
Honorable C. Nelson Harris, Council Member, Vice Mayor
Honorable William D. Bestpitch, Council Member
Honorable M. Rupert Cutler, Council Member
Honorable Alfred T. Dowe, Jr., Council Member
Honorable Beverly T. Fitzpatrick, Jr., Council Member
Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Adoption of Calendar of
Events for Budget
Preparation Activities for
FY 2004-2005

Background:

Members of City Council previously received a draft copy of the Calendar of Events for Budget Preparation Activities for FY 2004-2005 for their review and comment. No objections to the calendar were received.

Recommended Actions:

Adopt by motion the attached Calendar of Events for Budget Preparation Activities for FY 2004-2005.

Respectfully submitted,

A handwritten signature in black ink, reading "Darlene L. Burcham". The signature is fluid and cursive, with the first name "Darlene" being more prominent.

Darlene L. Burcham
City Manager

Honorable Mayor and Members of Council
June 16, 2003
Page 2

DLB:vst

Attachment

c: Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
Jesse A. Hall, Director of Finance
Sherman M. Stovall, Acting Director of Management and Budget

CM03-00230

**CALENDAR OF EVENTS
FOR BUDGET PREPARATION ACTIVITIES
FISCAL YEAR 2004-2005**

| <u>Date</u> | <u>Budget Preparation Activities</u> |
|---------------------|---|
| April 12-16, 2004 | City Manager briefs City Council on Recommended budget. |
| April 15, 2004 | Recommended budget document delivered to City Council members. |
| April 19, 2004 | Recommended budget presented to City Council at regularly scheduled meeting. |
| April 20, 2004 | Advertisements of public hearings on recommended budget and tax rates appear in newspapers. |
| April 29, 2004 | Public hearings on recommended budget and tax rates. ** Requires special meeting of City Council |
| May 7, 10, 11, 2004 | Budget Study May 11, 2004 Optional |
| May 13, 2004 | City Council adopts General Fund, School Fund, Proprietary Fund budgets and an Update to the HUD Consolidated Plan and approves an annual appropriation ordinance. ** Requires special meeting of City Council |

Kyle G. Ray
2626 Northview Drive • Roanoke, VA 24015
540-725-4466

CITY CLERK *03 NOV 13 PM 02:52

November 13, 2003

Mayor Ralph K. Smith and City Council Members
City of Roanoke Planning Building and Development
215 Church Avenue, S.W., Room 166
Roanoke, VA 24011

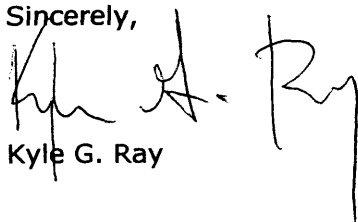
Dear Mayor Smith and City Council Members:

I want to thank you for all the opportunity to serve on the Architectural Review Board. It's been a pleasure working with the board and helping to preserve the historic fabric of the City of Roanoke.

Please accept this as my formal notice of resignation from the Architectural Review Board. This decision is based solely on the fact that I have changed jobs and will be moving to Atlanta, GA within the next week. This resignation will be effective November 14, 2003.

Thank-you again for the opportunity to serve on the board. Please feel free to contact me if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kyle G. Ray', with a stylized, elongated 'R'.

Kyle G. Ray

MELINDA J. PAYNE**301 Rutherford Avenue****Roanoke, VA 24016****540/343-2985**

CITY CLERK NOV 25 2003

November 25, 2003

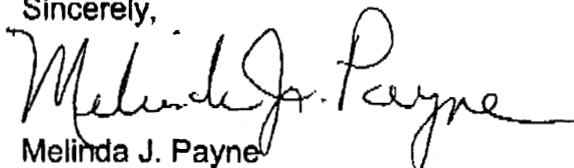
To the Honorable Mayor Ralph K. Smith
Honorable Vice-Mayor Nelson Harris
Honorable Bill Bestpitch
Honorable Rupert Cutler
Honorable Alfred T. Dowe
Honorable Bev Fitzpatrick, Jr.
Honorable Linda Wyatt

For the past eight and a half years I have served as a trustee on the Roanoke City School Board, devoting a great deal of time and energy to the welfare of the 13,000 plus children the system serves, their parents and guardians, teachers and support staff. I joined the board because I truly wanted to help make a difference in the community I live, and because education is paramount in our daily lives.

After much reflection I have decided to tender my resignation as a member of the Roanoke City School Board effective December 31, 2003. My decision is based on a number of factors, including my concern that as a board member I am unable to carry forth the commitments I made to myself and the people when I assumed this role. Those commitments focused primarily on making Roanoke City Public Schools a model for other systems throughout the state and country. However, in recent months I have not felt that Roanoke City Schools have met that goal. Due to those philosophical differences it is better for me to step aside.

I wish Roanoke City Schools and its leaders the best, and encourage them to keep our children's interest at the forefront of everything they do.

Sincerely,



Melinda J. Payne

c: Gloria Manns, Chair, Roanoke City School Board
Ruth Wilson, Vice Chair, Roanoke City School Board
Will Lindsey, School Board Member
Robert Sparrow, School Board Member
Kathy Stockburger, School Board Member
David Trinkle, School Board Member
Dr. E. Wayne Harris, Superintendent



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December 1, 2003

The Honorable Mayor
and Members of City Council
Roanoke, Virginia

Dear Mayor and Members of Council:

I would like to sponsor a request from Gregg Lewis, member of the Board of Directors of The Arts Council of the Blue Ridge, in which he will be thanking City Council for their support of The Arts Council's "Downtown—This Is Living!" at the regular meeting of City Council on Monday, December 1, 2003.

Respectfully submitted,

A handwritten signature in cursive script, reading "Darlene L. Burcham".

Darlene L. Burcham
City Manager

DLB:sm

c: City Attorney
Director of Finance
City Clerk



November 20, 2003

Ms. Darlene Burcham
City Manager
City of Roanoke
215 Church Avenue, SW
Roanoke, VA 24017

Dear Darlene:

Gregg Lewis, member of the Board of Directors of The Arts Council of the Blue Ridge and Co-Chair of "Downtown -- This Is Living!," requests the opportunity to appear before Roanoke City Council to thank them for the City's support of The Arts Council's "Downtown -- This Is Living!." This walking tour of residential spaces in downtown Roanoke was held on October 18 & 19, 2003. Gregg wishes to briefly relate the event's success and how it brought over 1500 people to experience the vitality of downtown.

If you have questions or concerns please call me at 342-5790. Thank you for the opportunity to work with the City of Roanoke.

Sincerely,

Susan Jennings
Executive Director



RALPH K. SMITH
Mayor

CITY OF ROANOKE

CITY COUNCIL

215 Church Avenue, S.W.
Noel C. Taylor Municipal Building, Room 456
Roanoke, Virginia 24011-1536
Telephone: (540) 853-2541
Fax: (540) 853-1145

Council Members:
William D. Bestpitch
M. Rupert Cutler
Alfred T. Dowe, Jr.
Beverly T. Fitzpatrick, Jr.
C. Nelson Harris
Linda F. Wyatt

December 1, 2003

The Honorable Mayor and Members
of the Roanoke City Council
Roanoke, Virginia

Dear Mayor Smith and Members of Council:

We jointly sponsor a request of Dr. William L. Lee with regard to school issues at the regular meeting of City Council on Monday, December 1, 2003, at 2:00 p.m.

Sincerely,

A handwritten signature in black ink, appearing to read "M. Rupert Cutler".

M. Rupert Cutler
Council Member

A handwritten signature in black ink, appearing to read "Beverly T. Fitzpatrick, Jr.".

Beverly T. Fitzpatrick, Jr.
Council Member

MRC:BTFjr:sm

pc: Darlene L. Burcham, City Manager



"Lee, William L
SAMVAMC"

<William.Lee2@med.va
.gov>

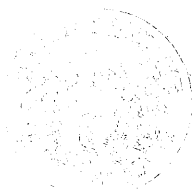
To: "'SMOON@CI.ROANOKE.VA.US'" <SMOON@CI.ROANOKE.VA.US>
cc:

Subject: Statment to city council from Bill Lee

11/26/2003 10:50 AM

Dear City Council,

I wish to address the council concerning the negative one-sided view that our school Superintendent E. Wayne Harris is receiving. Under the aegis of a number of ministers and a ground well of citizens I wish to speak to his record for the ten and one half years he has served. I wish to ask council to find a less divisive forum to speak to issues involving our public officials. I wish to praise our school system for being one of the finest in the state.



CITY OF ROANOKE

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December 1, 2003

Honorable Ralph K. Smith, Mayor
Honorable C. Nelson Harris, Vice Mayor
Honorable William D. Bestpitch, Council Member
Honorable M. Rupert Cutler, Council Member
Honorable Alfred T. Dowe, Jr., Council Member
Honorable Beverly T. Fitzpatrick, Jr., Council Member
Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Funding for Western Virginia
Workforce Development Board
Workforce Investment Act (WIA)
Programs

Background:

The City of Roanoke is the grant recipient for Workforce Investment Act (WIA) funding, thus, City Council must appropriate the funding for all grants and other monies received in order for the Western Virginia Workforce Development Board to administer WIA programs. The Western Virginia Workforce Development Board administers the federally funded Workforce Investment Act (WIA) for Area 3, which encompasses the counties of Alleghany, Botetourt, Craig, Franklin and Roanoke, and the cities of Covington, Roanoke, and Salem.

WIA funding is for four primary client populations:

- Dislocated workers who have been laid off from employment through no fault of their own;
- Economically disadvantaged individuals as determined by household income guidelines defined by the U.S. Department of Labor;
- Youth who are economically disadvantaged, or who have other barriers to becoming successfully employed adults; and
- Businesses in need of employment and job training services.

The Western Virginia Workforce Development Board has received a Notice of Obligation (NOO) from the Virginia Employment Commission allocating \$406,258 for the Adult Program, which serves economically disadvantaged persons; and \$365,200 for the Dislocated Worker Program, which serves persons laid off from employment through no fault of their own, in Program Year 2003 (July 1, 2003-June 30, 2004).

Considerations:

- Program Operations – Existing activities will continue and planned programs will be implemented.
- Funding – Funds are available from the Grantor agency and other sources as indicated, at no additional cost to the City.

Recommendations:

Accept the Western Virginia Workforce Development Board Workforce Investment Act funding of \$771,458 and appropriate the funding in accounts to be established in the Grant Fund by the Director of Finance. Establish corresponding revenue estimates in the Grant Fund as well.

Respectfully submitted,



Darlene L. Burcham
City Manager

DLB/bw

c: Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
Jesse A. Hall, Director of Finance
Barry L. Key, Director of Management and Budget
Vickie L. Price, Acting Director of Human Services
Rolanda B. Russell, Assistant City Manager for Community Development

#CM03-00220

AHS

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

AN ORDINANCE appropriating funds for the Workforce Investment Act Grant, amending and reordaining certain sections of the 2003-2004 Grant Fund Appropriations, and dispensing with the second reading by title of this ordinance.

BE IT ORDAINED by the Council of the City of Roanoke that certain sections of the 2003-2004 Grant Fund Appropriations be, and the same are hereby, amended and reordained to read and provide as follows:

| | | |
|--------------------------|-------------------|-----------|
| Appropriations | | |
| Wages | 035-633-2301-8050 | \$ 45,852 |
| Travel | 035-633-2301-8052 | 1,649 |
| Marketing | 035-633-2301-8053 | 990 |
| Supplies | 035-633-2301-8055 | 990 |
| Insurance | 035-633-2301-8056 | 507 |
| Contractual Services | 035-633-2301-8057 | 23,199 |
| Leases | 035-633-2301-8058 | 1,814 |
| Equipment | 035-633-2301-8059 | 1,155 |
| Miscellaneous | 035-633-2301-8060 | 495 |
| Telephone | 035-633-2301-8090 | 495 |
| Contractual Services | 035-633-2302-8057 | 337,022 |
| Payments to Other | | |
| Governments | 035-633-2302-8091 | 28,610 |
| Contractual Services | 035-633-2305-8057 | 328,680 |
| Revenues | | |
| Workforce Investment Act | | |
| FY04 | 035-633-2301-2301 | 771,458 |

Pursuant to the provisions of Section 12 of the City Charter, the second reading of this ordinance by title is hereby dispensed with.

ATTEST:

City Clerk.

OK

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

A RESOLUTION accepting the Western Virginia Workforce Development Board Workforce Investment Act funding of \$771,458 and authorizing the City Manager to execute the requisite documents necessary to accept the funding.

BE IT RESOLVED by the Council of the City of Roanoke as follows:

1. The Western Virginia Workforce Development Board Workforce Investment Act funding of \$771,458 is hereby ACCEPTED.

2. The City Manager is authorized to execute, and the City Clerk is authorized to attest, the requisite documents necessary to accept funding, and any and all understandings, assurances and documents relating thereto, in such form as is approved by the City Attorney, as more particularly set out in the City Manager's letter dated December 1, 2003, to City Council.

ATTEST:

City Clerk.



CITY OF ROANOKE

OFFICE OF THE CITY MANAGER

Noel C. Taylor Municipal Building
215 Church Avenue, S.W., Room 364
Roanoke, Virginia 24011-1591
Telephone: (540) 853-2333
Fax: (540) 853-1138
CityWeb: www.roanokegov.com

December 1, 2003

Honorable Ralph K. Smith, Mayor
Honorable C. Nelson Harris, Vice Mayor
Honorable Beverly T. Fitzpatrick, Jr., Council Member
Honorable William D. Bestpitch, Council Member
Honorable Linda F. Wyatt, Council Member
Honorable Dr. M. Rupert Cutler, Council Member
Honorable Alfred T. Dowe, Jr., Council Member

Dear Mayor Smith and Members of City Council:

Subject: Outdoor Dining – Fees

Background:

On April 1, 2002 City Council adopted Ordinance No. 35792-040102 to provide for an outdoor dining permit program and amended the Fee Compendium. The annual fees per square foot of area approved for outdoor dining were as follows: \$6.50 per square foot for 2002; \$7.00 per square foot for 2003; and \$8.00 per square foot for 2004. Concerns about the fee structure limited applicants' interest in applying for an outdoor dining permit and were addressed when City Council reduced the fees to \$3.25 per square foot in Ordinance No. 35943-061702 June 17, 2002 for calendar year 2002. This fee was again reduced to \$3.25 by City Council for calendar year 2003 in Ordinance No. 38237-021803. Total program revenues for 2003 are \$3,171. In an effort to provide again an incentive for restaurants to apply for outdoor dining permits, the City Administration recommends that the reduced fee of \$3.25 per square foot be continued for calendar year 2004.

Recommendation:

City Council amend the Fee Compendium so that the fee of \$8.00 per square foot originally proposed for calendar year 2004 is reduced to \$3.25 per square foot for calendar year 2004, with a minimum three-month commitment from the applicant.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Darlene L. Burcham".

Darlene L. Burcham
City Manager

DLB/RKB/gpe

C: Jesse A. Hall, Director of Finance
William M. Hackworth, City Attorney
Mary F. Parker, City Clerk
David Diaz, President, DRI

CM03-00221

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

AN ORDINANCE directing amendment of the Fee Compendium to establish the fee for outdoor dining permits for calendar year 2004; and dispensing with the second reading by title of this ordinance.

BE IT ORDAINED by the Council of the City of Roanoke, as follows:

1. The Fee Compendium of the City, maintained by the Director of Finance and authorized and approved by City Council by Resolution No. 32412-032795, adopted March 27, 1995, effective as of that date, as amended, shall be amended to establish the outdoor dining permit fee to be \$3.25 per square foot of space permitted by the City Manager, with a minimum three-month commitment from the applicant, for calendar year 2004, as set forth in the letter dated December 1, 2003, from the City Manager to this Council.
2. Pursuant to §12 of the City Charter, the second reading of this ordinance by title is hereby dispensed with.

ATTEST:

City Clerk.



CITY OF ROANOKE OFFICE OF THE CITY MANAGER

Noel C. Taylor Municipal Building
215 Church Avenue, S.W., Room 364
Roanoke, Virginia 24011-1591
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December 1, 2003

Honorable Ralph K. Smith, Mayor
Honorable C. Nelson Harris, Vice Mayor
Honorable William D. Bestpitch, Council Member
Honorable M. Rupert Cutler, Council Member
Honorable Alfred T. Dowe, Jr., Council Member
Honorable Beverly T. Fitzpatrick, Jr., Council Member
Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of Council:

Subject: Acceptance of Juvenile Justice and
Delinquency Prevention (JJDP) Title II Grant
funds from the Department of Criminal Justice
Services for Sanctuary's Aggression
Replacement Training and Education Program
(ARTEP)

Background:

The Aggression Replacement Training and Education Program (ARTEP) is an anger control program operated by Sanctuary Crisis Intervention staff. This grant program is designed to increase public safety and provide accountability among assaultive youth. The pilot for this program had a 94% success rate and continues to be a valuable addition to the continuum of services available in the treatment of juvenile offenders.

ARTEP provides a less costly alternative than incarceration of juvenile offenders. This program increases the options available to juvenile court judges by providing intensive supervision, education and rehabilitative treatment services for juvenile offenders who are before the court on violent offenses.

This is the last year in a five-year funding cycle, which has required increasing local responsibility for funding to the current 75%. Revenues from JJDP have decreased to 25% of the project total in the fifth year, to allow for local assumption of costs. Grant funds for this final year will pay for a portion of the Relief Counselor(s) salary and fringe benefits and administrative supplies. Funding awarded by the State for the current year is \$17,571.50. The local match for this year is \$52,714 and is provided from funding currently budgeted in the Crisis Intervention budget. (We are using the resources of Randall Funding and Development for help in identifying new funding sources).

Recommended Action(s):

Adopt a resolution accepting the \$17,571.50 in Federal Funds from the Department of Criminal Justice Services, Grant #03-D3256JJ02, for Sanctuary's Aggression Replacement Training and Education Program.

Authorize the City Manager to execute the required Grant Acceptance, Request for Funds and any other forms required by the Department of Criminal Justice Services in order to accept these funds.

Appropriate funding in the amount of \$17,572 to expenditure accounts as detailed in attachment "A" in accounts to be established by the Director of Finance in the Grant Fund. Establish a revenue estimate of \$17,572 in funds to be received from the State.

Respectfully submitted,



Darlene L. Burcham
City Manager

DLB:tem

Attachments

- c: Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
Jesse A. Hall, Director of Finance
Barry L. Key, Director of Management and Budget
Vickie L. Price, Acting Director of Human/Social Services
Letitia Malone, Juvenile Justice Administrator
Rolanda B. Russell, Assistant City Manager for Community Development

#CM03-00224

ARTEP FUNDS—2003/2004 Account Set-up Transactions

| Account No. | Description | Amount |
|---------------|------------------------------|----------|
| | Revenue—2003/2004 DCJS Grant | \$17,572 |
| | Revenue—Local match | \$52,714 |
| | | |
| | Total Revenue | \$70,286 |
| | | |
| Expenditures: | | |
| 1002 | Regular Salaries | \$32,367 |
| 1004 | Temporary Employees | \$24,192 |
| 1115 | ICMA | \$2,506 |
| 1116 | ICMA Match | \$650 |
| 1120 | FICA | \$4,377 |
| 1125 | Health | \$3,024 |
| 1126 | Dental | \$211 |
| 1130 | Life | \$0 |
| 1131 | Long term disability | \$91 |
| 2021 | Cell phone | \$1,080 |
| 2030 | Administrative Supplies | \$782 |
| 2046 | Travel/Mileage | \$1,006 |
| | | |
| | Total Expenditures | \$70,286 |

AHS
IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

AN ORDINANCE appropriating funds for the FY04 Sanctuary's Aggression Replacement Training and Education Program Grant, amending and reordaining certain sections of the 2003-2004 Grant Fund Appropriations, and dispensing with the second reading by title of this ordinance.

BE IT ORDAINED by the Council of the City of Roanoke that certain sections of the 2003-2004 Grant Fund Appropriations be, and the same are hereby, amended and reordained to read and provide as follows:

| | | |
|---|-------------------|-----------|
| Appropriations | | |
| Temporary Employee Wages | 035-630-5098-1004 | \$ 17,572 |
| Revenues | | |
| Sanctuary's Aggression State Grant Receipts FY04 | 035-630-5098-5098 | 17,572 |

Pursuant to the provisions of Section 12 of the City Charter, the second reading of this ordinance by title is hereby dispensed with.

ATTEST:

City Clerk.

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

A RESOLUTION authorizing the acceptance of a Juvenile Justice and Delinquency Prevention Title II Grant from the Department of Criminal Justice Services for the City's Crisis Intervention Center (Sanctuary) Aggression Replacement Training and Education Program; and authorizing the execution of the necessary documents.

BE IT RESOLVED by the Council of the City of Roanoke that:

1. The City of Roanoke hereby accepts the Juvenile Justice and Delinquency Prevention Title II Grant from the Department of Criminal Justice Services (Grant No. 03-D3256JJ02), in the amount of \$17,571.50, to be used for the City's Crisis Intervention Center's (Sanctuary) Aggression Replacement Training and Education Program, as set out and described in the City's application for said grant, and as more particularly set forth in the City Manager's letter to this Council dated December 1, 2003.

2. The City Manager is hereby authorized to execute any and all requisite documents, as are required for the City's acceptance of this grant, upon form approved by the City Attorney, and to furnish such additional information as may be required in connection with the City's acceptance of this grant.

3. The City Manager is further directed to furnish such additional information as may be required by the Department of Criminal Justice Services in connection with the City's acceptance of the grant.

ATTEST:

City Clerk.



CITY OF ROANOKE OFFICE OF THE CITY MANAGER

Noel C. Taylor Municipal Building
215 Church Avenue, S.W., Room 364
Roanoke, Virginia 24011-1591
Telephone: (540) 853-2333
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December 1, 2003

Honorable Ralph K. Smith, Mayor
Honorable C. Nelson Harris, Vice Mayor
Honorable William D. Bestpitch, Council Member
Honorable M. Rupert Cutler, Council Member
Honorable Alfred T. Dowe, Jr. Council Member
Honorable Beverly T. Fitzpatrick, Jr. Council Member
Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Amendment to City Code --
Sections 6-22 and 6-52 (d)
Regarding Dangerous Dogs
and Vicious Dogs

Background:

In FY 2002-03, Roanoke Police Department's Animal Control officers responded to fourteen (14) calls for service in which the dogs were declared to be "dangerous dogs". The Code of Virginia has been amended to allow a locality to require greater liability insurance coverage for dangerous dogs. The Code of Virginia, Section 3.1-796.93:1.(D).(2)., previously required only \$50,000 insurance coverage. It now states: "All certificates or renewals thereof required to be obtained under this section shall only be issued to persons who present satisfactory evidence that the owner, (of an animal found to be a dangerous dog), has liability insurance coverage, to the value of at least \$100,000, that covers animal bites." Further, the Code of Virginia, §3.1-796.93:1.(B). revises definitions of "dangerous" and "vicious" dogs.

Considerations:

Amending the Code of the City of Roanoke to increase the required liability insurance coverage from \$50,000 to \$100,000 and amending the definitions of "dangerous" and "vicious" dogs will increase the level of protection for citizens and is expected to reduce the number of dangerous dogs..

Recommended Action:

City Council adopt an ordinance (attachment) amending Sections 6-22 and 6-52 (d) of the Code of the City of Roanoke pertaining to dangerous and vicious dogs, to revise the definitions of "dangerous dog" and "vicious dog" and to increase the liability insurance coverage requirement from \$50,000 to \$100,000 for owners of an animal found to be a dangerous dog.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Darlene L. Burcham". The signature is fluid and cursive, with the first name "Darlene" and last name "Burcham" clearly distinguishable.

Darlene L. Burcham
City Manager

DLB:fjd

C: Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
Jesse A. Hall, Director of Finance
Rolanda B. Russell, Assistant City Manager
A. L. Gaskins, Chief of Police

CM03-00225

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

AN ORDINANCE amending and reordaining Article II, Division 1, Section 6-22, Definitions, and Division 3, Section 6-52, Keeping of dangerous dogs; conditions of, Chapter 6, Animals and Fowl, of the Code of the City of Roanoke (1979), as amended, to revise the definitions of “dangerous dog” and “vicious dog” and to increase the minimum amount of liability insurance procured and maintained by the owner of any dangerous dog to not less than \$100,000.00; and dispensing with the second reading by title of this ordinance.

BE IT ORDAINED by the Council of the City of Roanoke that:

1. Section 6-22, Definitions, of Division 1, Generally, Article II, Dogs Generally, of Chapter 6, Animals and Fowl, of the Code of the City of Roanoke (1979), as amended, is hereby amended and reordained to read and provide as follows:

Section 6-22. Definitions.

Dangerous dog. Any canine or canine crossbreed ~~which~~ *that* has bitten, attacked, or inflicted injury on a person or companion animal, or killed a companion animal; *however, when a dog attacks or bites another dog, the attacking or biting dog shall not be deemed dangerous (1) if no serious physical injury as determined by a licensed veterinarian has occurred to the other dog as a result of the attack or bite or (2) both dogs are owned by the same person. No dog shall be found to be a dangerous dog as a result of biting, attacking or inflicting injury on another dog while engaged with an owner or custodian as part of lawful hunting or participating in an organized, lawful dog handling event.*

Vicious dog. Any canine or canine crossbreed ~~which~~ *that* has (1) killed a person; (2) inflicted serious injury to a person, including multiple bites, serious

disfigurement, serious impairment of health, or serious impairment of a bodily function; or (3) continued to exhibit the behavior ~~which~~ *that* resulted in a previous finding, rendered in accordance with this article that the animal is a dangerous dog, provided that its owner has been given notice of that finding.

2. Section 6-52, Keeping of dangerous dogs; conditions, of Division 3, Dangerous and Vicious Dogs, Article II, Dogs Generally, of Chapter 6, Animals and Fowl, of the Code of the City of Roanoke (1979), as amended, is hereby amended and reordained to read and provide as follows:

Section 6-52. Keeping of dangerous dogs; conditions.

* * *

(d) The owner of any dangerous dog shall procure and maintain liability insurance in the amount of not less than ~~fifty thousand dollars (\$50,000.00)~~ *one hundred thousand dollars (\$100,000.00)* insuring the owner for any injury or damage caused by such a dog. The owner shall maintain a valid policy and certificate of insurance issued by the insurance carrier or agent as to the coverage required by the subsection at the premises where the dog is kept and shall, upon request, display such policy and certificate to any animal control officer or police officer.

3. Pursuant to Section 12 of the City Charter, the second reading of this ordinance by title is hereby dispensed with.

ATTEST:

City Clerk.



CITY OF ROANOKE DEPARTMENT OF FINANCE

215 Church Avenue, S.W., Room 461

P.O. Box 1220

Roanoke, Virginia 24006-1220

Telephone: (540) 853-2821

Fax: (540) 853-6142

JESSE A. HALL

Director of Finance

email: jesse_hall@ci.roanoke.va.us

ANN H. SHAWVER

Deputy Director

email: ann_shawver@ci.roanoke.va.us

December 1, 2003

The Honorable Ralph K. Smith, Mayor
 The Honorable C. Nelson Harris, Vice Mayor
 The Honorable William D. Bestpitch, Council Member
 The Honorable M. Rupert Cutler, Council Member
 The Honorable Alfred T. Dowe, Jr., Council Member
 The Honorable Beverly T. Fitzpatrick, Jr., Council Member
 The Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

SUBJECT: October Financial Report

This financial report covers the first four months of the 2003-2004 fiscal year. The following narrative discusses revenues and expenditures.

REVENUES

Effective with the 2003-2004 fiscal year, recovered costs are being reported as revenues rather than as reductions of department expenditures as in prior years. This change in reporting has the impact of increasing both revenues and expenditures as compared to the prior year. As of the end of October, approximately \$1,377,000 in recovered costs had been received and were included in the Charges for Services revenue category. Adjusted for this change in accounting for recovered costs, General Fund revenues increased 3.2% compared to FY03. Other variances in specific categories of revenues are discussed in the following paragraphs.

General Property Taxes increased 6.7% (\$1,706,124) in FY04 year to date in comparison with FY03. Current real estate tax revenues lead this increase with penalties and interest revenues contributing an additional \$50,961 in FY04 versus FY03.

Sales tax revenues are currently 8.5% higher than those of FY03. When adjusted for a \$190,000 collection of unpaid prior month's taxes made as the result of a sales tax audit, revenues are 4.2% higher than those of FY03. The increase in retail sales tax is in part due to reduced performance in the fall of FY03 when consumer spending was negatively impacted by the sniper shootings. Other Local Taxes at October 31, 2003 have increased approximately 3.1% over the same period in FY03 when adjusted to include the electric service utility tax payment that was received in November.

Permits and Fees continue their increase over FY03. They are \$122,400 (41.0%) higher than FY03 due to the increases in building and other inspection fees generated as a result of new construction and various expansions to existing companies mentioned in the prior monthly report.

Revenue from Use of Money and Property has decreased 10.6% due to a reduction in revenue from the lease of the Commonwealth building. Operating and maintenance fees generated from the lease were less than those pre-billed, causing an adjustment in FY04.

Grants-in-aid Commonwealth revenues declined by 2.3% in spite of an 11.6% increase in social services funding resulting from a change in state reimbursement guidelines for ADFC foster care adoptions. The declines result in part from less state share of personal property tax revenues (\$228,283), less jail block grant (\$259,208) and less Sheriff's shared expense reimbursements (\$63,752).

Charges for Services have increased by the aforementioned change in recording recovered costs as revenue in FY04. In addition, EMS fees for both current and delinquent collections have increased 40.2%. EMS revenues have increased in recent years in accordance with federally-permitted fees.

Interfund Services revenues decreased 38.7% primarily due to timing differences in billings to the Airport for fire safety and the loss of revenue from Roanoke Valley Detention Center administrative fees. General Fund miscellaneous revenues remain higher due to the sale of surplus property and donations for parks and police.

EXPENDITURES AND ENCUMBRANCES

A couple of key changes continue to impact the obligations of the City in the 2003-2004 fiscal year as noted in previous reports. First, the City granted a pay raise to active employees effective July 1, 2003, which averaged 2.85% City-wide. Secondly, the City's purchasing division has created an initiative to assure that contractual commitments such as rents are encumbered via purchase order for the annual amount. This has resulted in higher obligations in the current fiscal year compared to the prior fiscal year, but it represents a more realistic assessment of departmental obligations. Also, the changes to recording of recovered costs, discussed above, will result in affected departmental obligations being greater than the prior year since the recovered costs are no longer deducted from obligations.

General fund expenditures and encumbrances have increased 12.4%. Adjusted for the change in recovered costs, this increase is 10.5%. Other variances in specific categories are discussed below.

Public Safety expenditures grew due to increases in personal services in the labor-intensive Police and Fire departments.

Health and Welfare expenditures increased as a result of a 15.2% increase in Social Services expenditures. This was mainly due to increases in ADC-foster care and special needs adoption.

Parks, Recreation and Cultural expenditures increased \$80,000 as a result of additional Department of Technology billings to the libraries.


Community Development expenditures and obligations increased due to one-time expenditures in for the Mill Mountain Zoo water line improvements (\$175,000) and for the marketing initiative (\$153,000).

The transfer to debt service decreased as a result of debt service savings from the Series 2003 refunding issue. Additionally, the payments required on the 2002 Series issues are lower in the current year than in FY03.

The transfer to school capital projects fund resulted from an appropriation of fund balances relative to CMERP for a reserve for future school construction and renovation costs. There was no similar transfer in FY03.

Nondepartmental expenditures and obligations increased due to a transfer of \$2,845,800 to the Parking Fund to redeem the lease of the Century Station parking garage with the Housing Authority.

I would be pleased to answer questions City Council may have regarding the monthly financial statements.



Director of Finance

**CITY OF ROANOKE, VIRGINIA
GENERAL FUND**

STATEMENT OF REVENUE

| Revenue Source | Year to Date for the Period | | | Current Fiscal Year | |
|--|------------------------------|------------------------------|-------------------------|---------------------------------|---|
| | July 1 - Oct 31 2002-2003 | July 1 - Oct 31 2003-2004 | Percentage of Change | Revised Revenue Estimates | Percent of Revenue Estimate Received |
| General Property Taxes | \$ 25,384,922 | \$ 27,091,049 | 6.72 % | \$ 83,500,217 | 32.44% |
| Other Local Taxes | 10,861,148 | 10,578,926 | -2.60 % | 60,866,657 | 17.38% |
| Permits, Fees and Licenses | 298,644 | 421,043 | 40.98 % | 907,302 | 46.41% |
| Fines and Forfeitures | 437,650 | 454,749 | 3.91 % | 1,296,130 | 35.09% |
| Revenue from Use of Money and Property | 369,245 | 330,215 | -10.57 % | 1,093,091 | 30.21% |
| Grants-in-Aid Commonwealth | 10,545,403 | 10,302,409 | -2.30 % | 45,940,204 | 22.43% |
| Grants-in-Aid Federal Government | - | - | 0.00 % | 34,300 | 0.00% |
| Charges for Services | 938,303 | 2,642,992 | 181.68 % | 8,469,262 | 31.21% |
| Miscellaneous Revenue | 37,017 | 111,985 | 202.52 % | 420,474 | 26.63% |
| Internal Services | 306,014 | 187,500 | -38.73 % | 2,529,153 | 7.41% |
| Total | \$ 49,178,346 | \$ 52,120,868 | 5.98 % | \$ 205,056,790 | 25.42% |

STATEMENT OF EXPENDITURES AND ENCUMBRANCES

| Expenditures | Year to Date for the Period | | | Current Fiscal Year | |
|---|------------------------------|------------------------------|-------------------------|-------------------------|-----------------------------------|
| | July 1 - Oct 31 2002-2003 | July 1 - Oct 31 2003-2004 | Percentage of Change | Unencumbered Balance | Percent of Budget Obligated |
| General Government | \$ 3,755,428 | 3,891,882 | 3.63 % | \$ 7,980,300 | 32.78% |
| Judicial Administration | 2,057,429 | 2,023,366 | -1.66 % | 4,546,242 | 30.80% |
| Public Safety | 15,287,431 | 18,947,489 | 23.94 % | 31,094,597 | 37.86% |
| Public Works | 9,792,708 | 10,255,196 | 4.72 % | 14,857,106 | 40.84% |
| Health and Welfare | 7,717,714 | 9,811,506 | 27.13 % | 18,759,894 | 34.34% |
| Parks, Recreation and Cultural | 1,699,021 | 2,029,647 | 19.46 % | 3,453,564 | 37.02% |
| Community Development | 2,073,061 | 2,632,156 | 26.97 % | 3,485,309 | 43.03% |
| Transfer to Debt Service Fund | 12,016,455 | 10,267,097 | -14.56 % | 4,725,735 | 68.48% |
| Transfer to School Fund | 16,264,059 | 16,296,482 | 0.20 % | 32,592,964 | 33.33% |
| Transfer to School Capital Projects Fund | - | 1,025,630 | 100.00 % | - | 100.00% |
| Nondepartmental | 3,606,573 | 6,287,954 | 74.35 % | 5,692,572 | 52.48% |
| Total | \$ 74,269,879 | 83,468,405 | 12.39 % | \$ 127,188,283 | 39.62% |

**CITY OF ROANOKE, VIRGINIA
WATER FUND
COMPARATIVE INCOME STATEMENT
FOR THE FOUR MONTHS ENDING OCTOBER 31, 2003**

| | <u>FY 2004</u> | <u>FY 2003</u> |
|---|-------------------------|------------------------------|
| Operating Revenues | | |
| Commercial Sales | \$ 1,548,888 | \$ 1,368,837 |
| Domestic Sales | 1,035,638 | 936,468 |
| Industrial Sales | 229,512 | 187,474 |
| Town of Vinton | 7,281 | 6,292 |
| City of Salem | 6,825 | 11,402 |
| County of Botetourt | 79,143 | 73,592 |
| County of Bedford | 7,978 | 1,498 |
| Customer Services | 199,500 | 129,326 |
| Charges for Services | 324,705 | 416,325 |
| Total Operating Revenues | <u>3,439,470</u> | <u>3,131,214</u> |
| Operating Expenses | | |
| Personal Services | 1,400,796 | 1,421,978 |
| Operating Expenses | 1,052,837 | 1,007,879 |
| Purchased Water - Roanoke County | - | 875,212 |
| Purchased Water - City of Salem | - | 205,119 |
| Depreciation | 596,628 | 560,124 |
| Total Operating Expenses | <u>3,050,261</u> | <u>4,070,312</u> |
| Operating Revenue (Loss) | <u>389,209</u> | <u>(939,098)</u> |
| Nonoperating Revenues (Expenses) | | |
| Interest on Investments | 20,771 | 39,166 |
| Rent | 55,230 | 37,500 |
| Main Extension Agreements | 104,490 | - |
| Miscellaneous Revenue | 20,191 | 15,670 |
| Transfer to Department of Technology Fund | (191,000) | (41,146) |
| Interest and Fiscal Charges | (376,278) | (319,317) |
| Net Nonoperating Expenses | <u>(366,596)</u> | <u>(268,127)</u> |
| Net Income (Loss) | <u><u>\$ 22,613</u></u> | <u><u>\$ (1,207,225)</u></u> |

**CITY OF ROANOKE, VIRGINIA
WATER POLLUTION CONTROL FUND
COMPARATIVE INCOME STATEMENT
FOR THE FOUR MONTHS ENDING OCTOBER 31, 2003**

| | <u>FY 2004</u> | <u>FY 2003</u> |
|---|----------------------------|----------------------------|
| Operating Revenues | | |
| Sewage Charges - City | \$ 2,019,176 | \$ 1,738,943 |
| Sewage Charges - Roanoke County | 433,330 | 229,947 |
| Sewage Charges - Vinton | 89,319 | 55,355 |
| Sewage Charges - Salem | 381,473 | 145,673 |
| Sewage Charges - Botetourt County | 61,109 | 44,195 |
| Customer Services | 167,339 | 109,784 |
| Interfund Services | 48,988 | 68,223 |
| Total Operating Revenues | <u>3,200,734</u> | <u>2,392,120</u> |
| Operating Expenses | | |
| Personal Services | 788,539 | 701,864 |
| Operating Expenses | 1,606,055 | 1,366,076 |
| Depreciation | 613,580 | 631,971 |
| Total Operating Expenses | <u>3,008,174</u> | <u>2,699,911</u> |
| Operating Revenue (Loss) | <u>192,560</u> | <u>(307,791)</u> |
| Nonoperating Revenues (Expenses) | | |
| Interest on Investments | 29,812 | 54,936 |
| Miscellaneous Revenue | - | 321 |
| Capital Contributions - Other Jurisdictions | 8,765 | 14,203 |
| Transfer to Department of Technology Fund | (190,000) | (27,248) |
| Interest and Fiscal Charges | (242,713) | (247,963) |
| Net Nonoperating Expenses | <u>(394,136)</u> | <u>(205,751)</u> |
| Net Loss | <u><u>\$ (201,576)</u></u> | <u><u>\$ (513,542)</u></u> |

**CITY OF ROANOKE, VIRGINIA
CIVIC FACILITIES FUND
COMPARATIVE INCOME STATEMENT
FOR THE FOUR MONTHS ENDING OCTOBER 31, 2003**

| | <u>FY 2004</u> | <u>FY 2003</u> |
|--|----------------------------|----------------------------|
| Operating Revenues | | |
| Rentals | \$ 104,235 | \$ 45,686 |
| Event Expenses | 5,850 | 22,012 |
| Display Advertising | 2,500 | - |
| Admissions Tax | (1,662) | 33,359 |
| Electrical Fees | - | 4,020 |
| Facility Surcharge | 4,155 | 19,217 |
| Charge Card Fees | 1,663 | 445 |
| Commissions | (4,624) | 50,853 |
| Catering/Concessions | 55,627 | 122,860 |
| Other | <u>(1,430)</u> | <u>(225)</u> |
| Total Operating Revenues | <u>166,314</u> | <u>298,227</u> |
| Operating Expenses | | |
| Personal Services | 591,327 | 532,939 |
| Operating Expenses | 393,979 | 642,473 |
| Depreciation | <u>175,876</u> | <u>171,685</u> |
| Total Operating Expenses | <u>1,161,182</u> | <u>1,347,097</u> |
| Operating Loss | <u>(994,868)</u> | <u>(1,048,870)</u> |
| Nonoperating Revenues | | |
| Interest on Investments | 7,051 | 12,748 |
| Transfer from Capital Projects Fund | 260,000 | - |
| Transfer from General Fund | - | 200,000 |
| Transfer from General Fund - Victory Stadium | 11,450 | - |
| Transfer to Debt Service Fund | (43,784) | (50,546) |
| Transfer to Department of Technology Fund | - | (47,754) |
| Miscellaneous | <u>12,717</u> | <u>(39)</u> |
| Total Nonoperating Revenues | <u>247,434</u> | <u>114,409</u> |
| Net Loss | <u><u>\$ (747,434)</u></u> | <u><u>\$ (934,461)</u></u> |

Note: Reversal of year end accruals with little offsetting activity in the current year caused certain revenues to have negative balances at October 31st.

As events are closed from the Civic Center revolving account to the City, these revenue balances will become positive.

**CITY OF ROANOKE, VIRGINIA
PARKING FUND
COMPARATIVE INCOME STATEMENT
FOR THE FOUR MONTHS ENDING OCTOBER 31, 2003**

| | <u>FY 2004</u> | <u>FY 2003</u> |
|---|----------------------------|--------------------------|
| Operating Revenues | | |
| Century Station Parking Garage | \$ 134,486 | \$ 123,573 |
| Williamson Road Parking Garage | 163,671 | 134,969 |
| Market Square Parking Garage | 70,507 | 79,781 |
| Church Avenue Parking Garage | 176,989 | 174,652 |
| Tower Parking Garage | 137,033 | 120,758 |
| Gainsboro Parking Garage | 26,231 | 11,623 |
| Williamson Road Surface Lots | 25,284 | 25,732 |
| Norfolk Avenue Surface Lot | 18,469 | 19,700 |
| Gainsboro Surface Lot | 12,765 | 10,755 |
| Other Surface Lots | 42,155 | 54 |
| Total Operating Revenues | <u>807,590</u> | <u>701,597</u> |
| Operating Expenses | | |
| Operating Expenses | 325,060 | 306,199 |
| Depreciation | 181,216 | 186,339 |
| Total Operating Expenses | <u>506,276</u> | <u>492,538</u> |
| Operating Income | <u>301,314</u> | <u>209,059</u> |
| Nonoperating Revenues (Expenses) | | |
| Interest on Investments | 6,743 | 3,870 |
| Transfer from General Fund | 2,845,800 | 115,000 |
| Transfer from Department of Technology Fund | 78,000 | - |
| Interest and Fiscal Charges | (132,252) | (195,937) |
| Miscellaneous | - | 4,400 |
| Net Nonoperating Revenues (Expenses) | <u>2,798,291</u> | <u>(72,667)</u> |
| Net Income | <u><u>\$ 3,099,605</u></u> | <u><u>\$ 136,392</u></u> |

CITY OF ROANOKE, VIRGINIA
CITY TREASURER'S OFFICE
GENERAL STATEMENT OF ACCOUNTABILITY
FOR THE MONTH ENDED OCTOBER 31, 2003

TO THE DIRECTOR OF FINANCE:

GENERAL STATEMENT OF ACCOUNTABILITY OF THE CITY TREASURER OF THE CITY OF ROANOKE, VIRGINIA FOR
THE FUNDS OF SAID CITY FOR THE MONTH ENDED OCTOBER 31, 2003.

| FUND | BALANCE AT SEPT 30, 2003 | RECEIPTS | DISBURSEMENTS | BALANCE AT OCT 31, 2003 | BALANCE AT OCT 31, 2002 |
|----------------------------|-----------------------------|------------------------|------------------------|----------------------------|----------------------------|
| GENERAL | \$2,085,230.16 | \$21,861,876.67 | \$22,689,232.53 | \$1,257,874.30 | \$2,309,258.47 |
| WATER | 3,205,009.36 | 732,787.20 | 216,170.41 | 3,721,626.15 | 5,467,114.14 |
| WATER POLLUTION CONTROL | 8,813,563.82 | 3,263,335.38 | 2,004,357.60 | 10,072,541.60 | 9,477,160.39 |
| CIVIC FACILITIES | 1,013,967.83 | 216,386.28 | 255,182.22 | 975,171.89 | 2,729,045.34 |
| PARKING | (2,585,655.99) | 199,240.30 | 145,152.15 | (2,531,567.84) | 140,166.65 |
| CAPITAL PROJECTS | 51,147,932.09 | 1,653,317.89 | 1,382,230.22 | 51,419,019.76 | 60,448,745.32 |
| MARKET BUILDING OPERATIONS | 277,595.16 | 31,825.88 | 31,671.53 | 277,749.51 | 0.00 |
| CONFERENCE CENTER | 3,904,177.04 | 127,131.67 | 8,888.71 | 4,022,420.00 | 4,509,170.37 |
| RKE VALLEY DETENTION COMM | 0.00 | 0.00 | 0.00 | 0.00 | 2,606.00 |
| DEBT SERVICE | 9,663,639.38 | 4,791,105.64 | 2,218.80 | 14,452,526.22 | 14,345,545.01 |
| DEPT OF TECHNOLOGY | 3,794,835.23 | 256,927.45 | 323,198.80 | 3,728,563.88 | 5,571,016.42 |
| FLEET MANAGEMENT | 917,533.63 | 994,494.09 | 1,028,763.01 | 883,264.71 | 1,664,270.48 |
| PAYROLL | (11,722,124.33) | 15,016,309.01 | 15,797,404.44 | (12,503,219.76) | (12,114,605.15) |
| RISK MANAGEMENT | 11,836,244.10 | 692,916.68 | 864,422.48 | 11,664,738.30 | 11,567,758.62 |
| PENSION | 933,782.85 | 1,563,361.07 | 1,496,840.53 | 1,000,303.39 | 909,998.37 |
| SCHOOL FUND | 12,872,974.02 | 6,164,500.58 | 6,203,400.90 | 12,834,073.70 | 12,967,497.07 |
| SCHOOL CAPITAL PROJECTS | 8,599,676.40 | 34,320.91 | 1,585,616.79 | 7,048,380.52 | 8,080,314.68 |
| SCHOOL FOOD SERVICE | 227,230.50 | 610,544.69 | 428,794.08 | 408,981.11 | 2,145.28 |
| FDETC | (18,894.11) | 129,250.40 | 12,969.19 | 97,387.10 | 108,333.15 |
| GRANT | 928,715.29 | 1,776,842.70 | 753,548.87 | 1,952,009.12 | 731,418.06 |
| TOTAL | \$105,895,432.43 | \$60,116,474.49 | \$55,230,063.26 | \$110,781,843.66 | \$128,916,958.67 |

CERTIFICATE

I HEREBY CERTIFY THAT THE FOREGOING IS A TRUE STATEMENT OF MY ACCOUNTABILITY TO THE CITY OF ROANOKE, VIRGINIA, FOR THE FUNDS OF THE VARIOUS ACCOUNTS THEREOF FOR THE MONTH ENDED OCTOBER 31, 2003.
THAT SAID FOREGOING:

CASH:

| | |
|--------------|-------------------|
| CASH IN HAND | \$7,601.90 |
| CASH IN BANK | 489,798.15 |

INVESTMENTS ACQUIRED FROM COMPETITIVE PROPOSALS:

| | |
|--|--------------------------------|
| COMMERCIAL HIGH PERFORMANCE MONEY MARKET | 8,763,381.50 |
| LOCAL GOVERNMENT INVESTMENT POOL | 23,413,469.76 |
| MONEY MANAGEMENT ACCOUNT | 10,440,929.26 |
| REPURCHASE AGREEMENTS | 10,000,000.00 |
| U. S. AGENCIES | 21,024,375.00 |
| VIRGINIA AIM PROGRAM (U. S. SECURITIES) | 36,642,288.09 |
| TOTAL | <u>\$110,781,843.66</u> |

DATE: NOVEMBER 18, 2003


DAVID C. ANDERSON, TREASURER

**CITY OF ROANOKE PENSION PLAN
STATEMENT OF CHANGES IN PLAN NET ASSETS
FOR THE FOUR MONTHS ENDED OCTOBER 31, 2003**

| | <u>FY 2004</u> | <u>FY 2003</u> |
|--|-----------------------------|-------------------------------|
| <u>Additions:</u> | | |
| Employer Contributions | \$ 1,509,494 | \$ 1,205,831 |
| Investment Income | | |
| Net Appreciation (Depreciation) in Fair Value of Investments | 14,955,570 | (18,919,513) |
| Interest and Dividend Income | <u>512,357</u> | <u>477,232</u> |
| Total Investment Income (Loss) | 15,467,927 | (18,442,281) |
| Less Investment Expense | <u>35,791</u> | <u>(13,144)</u> |
| Net Investment Income (Loss) | <u>15,432,136</u> | <u>(18,429,137)</u> |
| Total Additions (Deductions) | <u>\$ 16,941,630</u> | <u>\$ (17,223,306)</u> |
| <u>Deductions</u> | | |
| Benefits Paid to Participants | \$ 5,915,130 | \$ 5,442,916 |
| Administrative Expenses | <u>2,545</u> | <u>30,421</u> |
| Total Deductions | <u>5,917,675</u> | <u>5,473,337</u> |
| Net Increase (Decrease) | 11,023,955 | (22,696,643) |
| Net Assets Held in Trust for Pension Benefits: | | |
| Fund Balance July 1 | <u>283,983,057</u> | <u>289,534,315</u> |
| Fund Balance October 31 | <u>\$295,007,012</u> | <u>\$266,837,672</u> |

Note: Negative amounts reflect the reversal of accrual accounting entries made for fiscal year-end financial reporting purposes.

**CITY OF ROANOKE PENSION PLAN
BALANCE SHEET
OCTOBER 31, 2003**

| | <u>FY 2004</u> | <u>FY 2003</u> |
|--|------------------------------|------------------------------|
| <u>Assets</u> | | |
| Cash | \$ 971,035 | \$ 885,671 |
| Investments, at Fair Value | 295,518,125 | 267,384,395 |
| Due from Other Funds | 1,431 | 1,590 |
| Other Assets | <u>6,150</u> | <u>5,785</u> |
| Total Assets | <u>\$ 296,496,741</u> | <u>\$ 268,277,441</u> |
| <u>Liabilities and Fund Balance</u> | | |
| Liabilities: | | |
| Due to Other Funds | \$ 1,488,532 | \$ 1,373,741 |
| Accounts Payable | <u>1,197</u> | <u>66,028</u> |
| Total Liabilities | <u>1,489,729</u> | <u>1,439,769</u> |
| Fund Balance: | | |
| Fund Balance, July 1 | 283,983,057 | 289,534,315 |
| Net Gain (Loss) - Year to Date | <u>11,023,955</u> | <u>(22,696,643)</u> |
| Total Fund Balance | <u>295,007,012</u> | <u>266,837,672</u> |
| Total Liabilities and Fund Balance | <u>\$ 296,496,741</u> | <u>\$ 268,277,441</u> |

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

A RESOLUTION appointing a new Director of the Industrial Development Authority of the City of Roanoke, to fill a four (4) year term on the Board of Directors.

WHEREAS, the Council is advised that the term of office of Margaret R. Baker, a Director of the Industrial Development Authority of the City of Roanoke, Virginia, expired on October 20, 2003; and

WHEREAS, §15.2-4904, Code of Virginia (1950), as amended, provides that appointments made by the governing body of such Directors shall, after initial appointment, be made for terms of four (4) years, except appointments to fill vacancies which shall be for the unexpired terms;

THEREFORE, BE IT RESOLVED by the Council of the City of Roanoke that Linda D. Frith, is hereby appointed as a Director on the Board of Directors of the Industrial Development Authority of the City of Roanoke, Virginia, for a term of four years commencing on October 21, 2003, and expiring on October 20, 2007, to fill a vacancy created by the expiration of the term of office of Margaret R. Baker on the Board occurring on October 20, 2003.

ATTEST:

City Clerk.

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

A RESOLUTION appointing Evelyn W. Powers as City Treasurer for a term commencing upon her qualification and expiring on December 31, 2005.

WHEREAS, this Council has accepted the resignation of David C. Anderson, City Treasurer, effective December 31, 2003;

WHEREAS, Mr. Anderson was elected for a term commencing January 1, 2002, and expiring December 31, 2005; and

WHEREAS, this Council is desirous of appointing Evelyn W. Powers to fill the vacancy in the Office of City Treasurer created by the resignation of David C. Anderson, for a term commencing on Ms. Power's qualification and terminating December 31, 2005;

THEREFORE, BE IT RESOLVED by the Council of the City of Roanoke as follows:

1. Evelyn W. Powers is hereby appointed as City Treasurer of the City of Roanoke for a term commencing upon her qualification and expiring December 31, 2005.
2. Pursuant to §59 of the City Charter, before entering upon the duties of City Treasurer, Evelyn W. Powers shall qualify for office by taking the oath prescribed by general law of the Commonwealth.
3. Pursuant to §37 of the City Charter, before entering upon her duties as Treasurer, Evelyn W. Powers shall properly make, execute and lodge with the City Clerk, a bond approved as to form and execution by the City Attorney, payable to the City of Roanoke and executed by Evelyn W. Powers and by the surety hereinafter approved, in the sum of \$1,000,000.00, conditioned upon

the City Treasurer faithfully discharging her official duties in relation to the revenue of the City and such other official duties as may be imposed upon her by the City Charter and by ordinances of this Council. Council hereby approves the Fidelity and Deposit Company of Maryland, a corporate bonding company, authorized to transact business as a surety in the Commonwealth of Virginia, as the surety of the bond.

ATTEST:

City Clerk.